

Bryan M. Barber (State Bar No. 118001)  
([bbarber@barberlg.com](mailto:bbarber@barberlg.com))  
BARBER LAW GROUP  
101 California Street, Suite 810  
San Francisco, California 94111-5802  
Telephone: (415) 273-2930  
Facsimile: (415) 273-2940

Attorneys for Plaintiff  
FLUKE ELECTRONICS CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FLUKE ELECTRONICS CORPORATION, a  
Washington corporation,  
  
Plaintiff,  
  
v.  
  
STEPHEN MANGELSEN, a California resident;  
  
Defendant.

Case No.: C 08 01188 JW

**DECLARATION OF ANNA KATHRYN  
BENEDICT IN SUPPORT OF FLUKE  
ELECTRONICS CORPORATION'S  
REPLY BRIEF IN SUPPORT OF  
MOTION TO DISMISS DEFENDANT'S  
CROSS-COMPLAINT (RULE 12(b)(6))**

AND RELATED COUNTER-CLAIM.

I, Anna Kathryn Benedict, hereby declare as follows:

1. I am an attorney and contract counsel with the Barber Law Group, attorney of record for Plaintiff Fluke Electronics Corporation ("Fluke") in this action. The following is based on information and belief.

2. Attached hereto as Exhibit A is a copy of the August 22, 2002 Merger Agreement referred to in defendant Stephen Mangelsen's cross-complaint.

3. Attached hereto as Exhibit B is a copy of the September 14, 2007 Settlement Agreement referred to in defendant Stephen Mangelsen's cross-complaint.



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3 San Francisco, California 94111-5802  
Telephone: (415) 273-2930  
4 Facsimile: (415) 273-2940

5 Attorneys for Plaintiff  
FLUKE ELECTRONICS CORPORATION  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
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11 FLUKE ELECTRONICS CORPORATION a  
Washington corporation,

12 Plaintiff,

13 v.  
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15 STEPHEN MANGELSEN, a California resident,  
16 Defendant.

17 STEPHEN MANGELSEN, a California resident,

18 Cross-Complainant,

19 v.  
20

21 CLIFTON WARREN, a California resident;  
FLUKE ELECTRONICS CORPORATION, a  
Delaware corporation; inclusive,

22 Cross-Defendants.  
23  
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Case No.: C 08 01188 JW

**MANUAL FILING NOTIFICATION  
(EXHIBIT A – C TO DECLARATION OF  
ANNA KATHRYN BENEDICT IN  
SUPPORT OF FLUKE ELECTRONICS  
CORPORATION’S REPLY BRIEF IN  
SUPPORT OF MOTION TO DISMISS  
DEFENDANT’S CROSS-COMPLAINT  
(RULE 12(b)(6)))**

25 RE: **FLUKE ELECTRONICS CORPORATION’S REPLY BRIEF IN SUPPORT**  
26 **OF MOTION TO DISMISS DEFENDANT’S CROSS-COMPLAINT (RULE 12(b)(6)).**

27 This filing is in paper or physical form only, and being maintained in the case file in the  
28 Clerk’s office. If you are a participant in this case, this filing will be served in hard-copy via

1 regular mail. For information on retrieving this filing directly from the court, please see the  
2 court's main website at <http://www.cand.usgcourts.gov> under Frequently Asked Questions  
3 (FAQ).

4 This exhibit is not e-filed because it is designated as confidential and to be filed under  
5 seal.

6  
7  
8 DATED: September 2, 2008

Respectfully submitted,

9 BARBER LAW GROUP

10  
11 /s/ Bryan M. Barber

12 Bryan M. Barber  
13 Attorney for Plaintiff and Cross-Defendant  
14 FLUKE ELECTRONICS CORPORATION

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